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ABSTRACT

The history of pirate radio--radio broadcasts offered by unlicensed broadcasters as alternatives to licensed, commercial radio programming--is difficult to trace, both in America and the United Kingdom (UK) since mention of pirate broadcasts of a less-then-thrilling nature are rarely found. Also, until 1927, the U.S. government did not formally regulate broadcasting and spectrum allocation. The best-documented examples of pirate radio come from England, where pirate radio thrives. The UK pirates, such as Radio Caroline and Radio Veronica, operate their stations for profit, broadcast virtually around the clock, and solicit advertising from large, coprorate sponsors. Moreover, the UK station owners are usually financially affiliated with music publishing firms or record companies. In contrast to the UK pirates, U.S. pirate radio stations operate on shoestring budgets, broadcast irregularly, rarely attempt to turn a profit, do not solicit advertising, and keep a very low profile. The Federal Communications Commission has an attitude of "selective enforcement," meaning that it acts on complaints and interference, but does not seek out pirate broadcasters. Although ostensibly pirate radio provides an alternative to commercial radio broadcasts, in reality pirate radio broadcasts do not offer a substantially alternative form of programming. They usually rely on the same popular music that is programmed on commercial radio, rarely programming music other than pop and rock and roll. (One table of data and 54 footnotes are appended.) (MM)

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MAKING WAVES: Pirate Radio and Popular Music

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This paper examines the history, extent and content of pirate radio broadcasting in the United States and England. Ostensibly providing an alternative to commercial radio broadcasts, pirate radio broadcasts do not offer a substantially alternative form of programming. They rely on popular music that is often programmed on commercial radio, and they rarely program music other than pop and rock 'n' roll.

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It is difficult to trace the beginning of pirate radio, because during radio's early years it was the sensational that was (and still is) reported -- the rum-runners, the spies, etc. Mention of pirate broadcasts of a less-than-thrilling nature are rarely found. Also, until 1927, the U.S. government did not formally regulate broadcasting and spectrum allocation. Current FCC regulations prohibit unlicensed broadcasting from a transmitter with power greater than 100 milliwatts. Under normal circumstances a transmitter broadcasting at one-tenth of a watt could reach no further than a block or two at most. By comparison, commercial AM stations operate with at least 1,000 watts, and some, like Chicago's WLS-AM, broadcast with 50,000 watts.

One of the earliest mentions of a pirate radio station is in the January 22, 1951, issue of Time magazine. It reports that a station was heard by the FCC somewhere in central Ohio using the call letters WKGR (it is common for pirate stations to assume call letters, even though the call is unassigned by the FCC). The frequency was 650 KHz, toward the low end of the standard AM band. The programming consisted of music, news, amateur talent shows, and several advertisements for businesses in the Marysville, Ohio, area. An FCC agent traveled to Marysville, where he found that WKGR was a well-known business. He had little difficulty finding the station and there discovered the station's owners and operators -- five men, ages 14 to 28. They had bought an Army surplus transmitter and one of the men, an amateur radio operator, modified it so that it could broadcast over a 12-mile radius. The operators "thought all you had to do to start a business in the U.S. was start it,"

according to the article. "Mostly because of the youth of the staff, FCC decided not to take legal action. Marysville business men at first rallied behind the boys, but seemed to lose interest on learning that it would take $20,000 to buy the equipment necessary to meet FCC requirements for a broadcasting license." One of the station's operators is quoted as saying, "Gee, if we had known we were operating outside the law, we wouldn't have done it."[1]

::: The Forms of Illegal Broadcasting

Before going further into pirate radio broadcasting (and pirate television broadcasting) I would like to define those terms by distinguishing them from other forms of illegal broadcasting activity. There are several common terms used to describe illegal broadcasting; clandestine, pirate, secret, esoteric, espionage, etc. Each term, however, needs to be placed in context.

First, a crucial distinction. Pirate broadcasting bears no relation to the so-called "video pirates" that have been in the news off and on during the past several years. Video pirates, as they are termed by the television and cable industries, "steal" signals from satellite or cable transmissions for home use. The video pirates are *not* involved in broadcasting signals of any kind. In this sense, piracy has existed for a long time, but not in the U.S. because (with the exception of cable) the audience does not directly pay for broadcasts. In England, however, the situation has always been a problem. Living Age magazine reported in 1925 that the British Government "estimates that there are 2,000,000 'radio pirates' -- that is, people who have installed indoor listening apparatus

of their own without bothering over a licence...the Broadcasting Company...is troubled by the fear that its subscribers may refuse to renew, though they will keep right on listening in."[2] This is not to exclude the Captain Midnight/HBO broadcast in 1986 however, which I will address later.

Not unlike legal, commercial broadcasters, *clandestine* broadcasters operate with a specific goal and audience in mind. Their common denominator is political propaganda. This category can include Radio Marti, the Free Cuban station operating legally from Miami, Radio Moscow and the Voice of America, but more often includes stations operating in violation of international (and occasionally national) laws, such as the CIA funded Radio Quince de Septiembre, an anti-Nicaraguan clandestine station[3]. The Association of Clandestine Radio Enthusiasts (A*C*E, a U.S.-based club "dedicated to the monitoring of unlicensed, unusual, unexplained, and unofficial radio broadcasts"[4]) defines clandestine broadcasts as "unlicensed transmissions containing messages aimed at achieving social change."[5] Author Harry Helms lists several clandestine stations in his book How To Tune the Secret Shortwave Spectrum: "Radio Rebelde...Spanish language anti-Castro programs heard...irregularly...believed to actually be in Cuba.....Radio Sandino...Spanish messages and music for Sandinista guerillas in Nicaragua...believed to be in Central America...Voice of Democratic Kampuchea...Cambodian programs supporting deposed Pol Pot regime"[6] and so on. Clandestine activity occurs worldwide and depends largely on political activity in a given area.

Espionage radio broadcasts are common across the spectrum and often consist of "numbers" stations. These broadcasts consist of a series of numbers, usually in Spanish, English, or German, and it is believed that they are encoded messages to international spies. According to Helms, Federal

Communications Commission direction-finding equipment has located several Spanish-speaking numbers stations in South and Central America and Cuba, and German-speaking numbers stations in East Germany[7]. Ex-CIA agent Miles Copeland wrote that the CIA used amateur broadcasting bands to transmit messages, often in the form of "screech" recordings.[8] The "screech" sounds like a high-pitched noise, not unlike common radio interference, but it is actually a speeded-up recording of a message that is recorded by the receiver and slowed down to its normal speed for transcription.

Wiretapping, eavesdropping and other forms of "bugs" will often use radio transmitters. An attempt was made in June of 1972 to put an illegal FM transmitter on the air in Washington, D.C. Had it gone on the air, it would have been possible for anyone in the area to tune it in. The attempt was unsuccessful, and is commonly referred to as the Watergate break-in.

Other types of illegal broadcasting have occurred regularly throughout the history of radio. Virtually 90 percent of those using Citizen's Band radios are doing so illegally, without a license from the FCC. The presence of radio pranksters is common -- the following example is from the Middle East:

> A cargo ship was sailing through the Strait of Hormuz recently when it was challenged by an Iranian warship demanding to know what it carried...."What is your cargo?" the voice of an Iranian officer crackled over the radio. Before the ship's captain could respond, a third voice came on the air, "I am carrying machine guns and hand grenades to Iraq...and the atom bomb." The Filipino Monkey had struck again....He has been interjecting jokes and taunts into radio conversations between ships at the southern end of the Persian Gulf for at least three years...."[9]

The unlicensed use of radio for crime is not uncommon. The Radio Broadcast magazine of December, 1922, reported that smugglers on the east coast used radio transmissions as "code messages regarding the smuggling of 400 drums of

alcohol...into the United States."[10] The same magazine devoted eight pages to a feature article with the headline, "Radio on Rum Row -- How it Makes Life Bearable for the Bored Bootlegger -- and Helps His Business."[11] A report in the August 22, 1931 Collier's decries the growing number of radio "medicine shows" -- "Blue Eagle, the Medicine Man, is with us again," the article's teaser begins. "He used to stage his show in the smoky glare of torches; now he lays his spell by radio."[12] Literary Digest in 1926 also decried these "Radio-Fakers."[13] It is believed that the first offshore radio broadcasts were made as early as the late 1930s by ships outside territorial waters, off California. A number of large ships were used to provide non-stop gambling facilities at anchorages beyond the American limits. Commercial radio broadcasts were made from some of these gambling ships for a short time.[14]

All pirate radio is primarily characterized by the fact that it is aired by unlicensed broadcasters. However, pirate radio, as I wish to define it, is a radio broadcast that is offered by unlicensed broadcasters as an alternative to licensed, commercial radio programming.

::: Pirate Radio in the UK

The best-documented examples of pirate radio come from England, where pirate radio thrives. Though most people associate British pirate radio with the well-know ship-based transmissions of Radio Caroline, one can trace the roots of pirate broadcasting there to programming from Radio Normandy and Radio Luxembourg. These stations broadcast English-language programs toward Britain, and were often sponsored by British advertisers. As Mike Barron points out in

his book Independent Radio:

> the Licence of the British Broadcasting Corporation prevented it from broadcasting advertisements....Meanwhile in Europe, radio was growing very fast, and a number of private companies were operating very powerful transmitters.... most of the stations on the continent were financed or sponsored by advertising....Radio Toulouse commenced broadcasts in English in 1929 of programmes sponsored by British gramophone companies....By the end of 1932 there were twenty-one British firms sponsoring foreign broadcasts.... in 1935 British firms were spending 400,000 (pounds) per year. This later increased to 1,700,000 (pounds) in 1938.[15]

It important to remember that advertisers and advertising provided the impetus for these broadcasts, which included comedy programs, classical music and educational programming.

Inasmuch as these programs were carried by licensed broadcasters they cannot be thought of as pirate broadcasts. They did, however, provide a model for the British off-shore radio pirates who became prominent in the early 1960s.

One of the first, and now infamous and legendary pirates, Radio Caroline, began operation in April, 1964, on a ship anchored in international waters off the English east coast.[16] A week later Radio Atlanta, also a shipboard operation, dropped anchor, followed by another, Radio Veronica.

The UK pirates operate their stations for profit, broadcast virtually around the clock, and solicit advertising from large, corporate sponsors. Moreover, the UK station owners are usually in some way financially affiliated with music publishing firms or record companies. A UK pirate radio station that was in operation recently, Laser 558, was owned and operated by Music Media International, an independent music promotion firm based in New York[17]. Business Week of May 2, 1964, reports that Allan Crawford, managing director of Radio Atlanta, "heads a group of pop music publishing and recording companies," and "had been 14 years with New York's Southern Music Publishing Co., Inc."[18] The

same article reports that Radio Caroline head Ronan O'Rahilly was co-owner of a London R&B club called the Scene. He was also manager of pop singer Georgie Fame. O'Rahilly found that if he started his own record company he would have trouble getting records played by licensed broadcasters who all had affiliations with large record companies.[19] According to a report in Newsweek, O'Rahilly raised $750,000 to start Radio Caroline.[20] O'Rahilly's primary interest was certainly financial, as attested to by his statement that "Youth was busting out all over. There was a lot of money to be made....Fortunately these ventures required hardly any money at all."[21] Radio Caroline did quite well even in its first weeks of operation. Author Mike Barron reported:

> One of London's biggest advertising agencies was said to be planning to advertise with the pirate ships through its Dutch and French companies. On the advertising front it was Caroline which hit the jackpot the day following the Postmatser-General's rumoured decision (to make advertising on pirate broadcasts illegal). On May 13th (1964) 30,000 (pounds) of advertising poured in.[22]

Radio Caroline charged 90 pounds for 30 seconds of advertising.

The British government, immediately aware of the pirates and the consequences for broadcast regulation, took steps to have these vessels' registry taken away (Caroline was registered in Panama) and threatened listeners with prosecution under the Wireless Telegraphy Act of 1949. By 1966, however, UK pirate radio had become very big business indeed, taking on the trappings of "Dallas" or "Dynasty," complete with murders and lawsuits.[23] O'Rahilly didn't pay the captain of his vessel, who, in best seafaring tradition, refused to abandon ship and locked himself in his cabin with a rifle. The captain eventually hijacked the ship, and O'Rahilly was forced to go out and hire a new one.[24]

Ostensibly, the reason the English pirates began broadcasting was because of

the lack of pop music on the BBC. Radio Caroline was reported to have an audience of about just over eight million listeners.[25] In a fit of "if-you-can't-beat-'em-join-'em," the BBC began its own pop music service in 1967.[26] In October of that year, Parliament passed the Marine Broadcasting Offences Act, outlawing the stations' operation as well as outlawing advertising on them.[27] By 1971 the pirates were at war with themselves, sabotaging each other's transmitters and bombing each other's ships.[28] Radio Caroline ceased operation for most of the 70s and early 80s, but resumed broadcasting in August, 1983.[29]

During the 1970s commercial broadcasting restrictions were relaxed in the UK, but did not completely end pirate activity. Independent radio still did not provide adequate programming for some sectors, and smaller pirate radio operations catered to very specific audiences. As Dick Hebdige describes:

> ...pirate radio stations played a major role in (the) blurring of the (black and white) musics. Independent local radio had been set up in 1973 and by the early 1980s, forty-six licensed stations were operating in the UK. But neither these nor BBC's Radio One devoted much air-time to black music....Around 1983, off-shore pirate radio stations like Radio Laser and Radio Caroline began transmitting more black music in stereo from ships anchored in the North Sea. But the real breakthrough in radio piracy occurred when cheap portable transmitters came on the market. By the mid-1980s you could buy an (illegal) 50-watt radio transmitter for around 200 (pounds) or build one yourself for less. Soul and reggae enthusiasts began to plug the gap in the airwaves playing solid funk, soul and dub. All they needed was a good quality cassette recorder, a transmitter and a high roof....It's estimated that a signal from a 40-watt transmitter broadcasting from the roof of a fifteen-storey tower block can reach a 40-mile radius. Tower blocks throughout Britain's cities sprouted aerials overnight. The pirates often prerecord their radio shows at home. They then walk into a block of flats and get up on the roof. Wearing soft shoes so as not to alert the people living in the flat below...they creep across the roof, set up the transmitter and beam out the music of their choice...they can scan the horizon for radio detector vans and police cars. (The Home Office can track down the signal in about ten minutes)....The pirate boom was checked by

> tighter legislation....Tougher fines and regular police raids, together with the dirty tactics adopted by some of the newer pirates to crowd out their rivals, pruned down the number of stations.[30]

Pirate radio stations still continue to broadcast throughout Britain, and some pirate television stations have come (and gone) as well. Though it appears that, for now, pirate activity is less common, it is possible that it will see a resurgence as it did in the early 1980s.

::: Pirate Radio in America

In contrast to the UK pirates, U.S. pirate radio stations operate on shoestring budgets, broadcast irregularly, rarely (if ever) attempt to turn a profit, do not solicit advertising, and keep a very low profile. U.S. pirates do, however, rely on rock music for most of their programming. A report on Radio Free Ithaca, WRFI, in the A*C*E newsletter[31] is an example of the motives of many U.S. pirates (though it is unusual in its scope of operation).

WRFI began broadcasting in November 1980, its programming consisting of a mix of music, comedy and public service announcements. The A*C*E newsletter estimated its audience at between 500 to 1500 listeners each evening.[32] The station was started by a 30-year-old electrical engineering research assistant from Cornell University, who, on the air, called himself the Night Doctor. According to the article, the engineer was disappointed with local commercial and college radio, and he thought that progressive radio of the kind common in the 60s and 70s would offer the community diversity and quality (raising questions about public/community radio in the U.S.).[33] After purchasing an old

transmitter from a college station, the engineer enlisted the help of more than 20 people to build a station on par with many commercial operations. WRFI broadcast at 88.5 MHz, the low end of the FM spectrum, and in stereo at that. The studio contained nearly 1000 records, many tape recordings, and sophisticated electronic equipment.[34]

In March, 1981, WRFI began regular broadcasts every evening. Each night at 10 pm it broadcast the BBC World Service News program, recorded from a shortwave receiver. The station placed advertisements including a PO Box address, in local papers to attract listeners. One of the ads was spotted by a journalist for the Ithaca Times, who wrote a story on the station. An engineer for a local cable TV company soon complained to an FBI agent, who relayed the complaint to the FCC. Using direction-finding radio equipment, FCC agents located the station. The A*C*E article continues:

> After taking RF measurements with the equipment in their vehicle, (FCC agents) Kelly and Taylor approached the house, knocked, and requested entry to inspect the station. The disc jockey on duty at the time -- Ozmo the Great -- told the engineers to wait outside while he telephoned (the engineer) to advise him of the bust and to ask what to do.
>
> Upon his arrival at the transmitter site, the Night Doctor did indeed consent to the inspection of the station.[35]

The article relates the Night Doctor's impressions of what happened next:

> No hassle -- open the door, take one look, and start laughing. (The FCC engineers) were, I almost hate to admit it, pretty cool too and dug the joke. They'd waited for the album to end before bothering to knock, and let Ozmo do a decent sign-off complete with a call for me to haul ass up there...Well anyway they waited until I got there, we talked shop for a while...and they very nicely asked for a tour. After it was clear that they were on our side...assuring us that they didn't want to see anyone screwed...we opened some beers for ourselves and showed them our toys.[36]

The station was shut down, and the Night Doctor was fined $750.

On January 21, 1987, a Fresno, CA, pirate station was raided by the FCC and shut down.[37] The operation, called Zoom Black Magic, aimed its programming mixture of music and politics at Fresno's black population. Reacting to the FCC's action, Walter Dunn, Jr., one of the station's operators, said, "This is a blatant attempt to keep blacks out of broadcasting in this area. It's virtually impossible for a black man to get an FM radio station unless he can raise $1 million. Listen to the programming in this valley. There is a void. Black people are starving for music."[38] Although Dunn was cited by the FCC in 1985 for illegal broadcasting, he switched from the standard FM band to 108 MHz, at the very top of the FM dial. The FCC cited that frequency's proximity to aircraft communications frequencies as its main reason for shutting down Zoom Black Magic.

According to Kirk Baxter, president of A*C*E, the FCC has an attitude of "selective enforcement."[39] That is, it acts on complaints and interference, but generally does not seek out pirate broadcasters. Still, there is "enough of a scare factor by the FCC that few people are getting on the air." But the scare factor seems to be due more to the stiff penalties (up to a $10,000 fine and five years in jail) than to evidence that a lot of people are getting caught.

One of the reasons for pirate radio's continuing existence is the popularity of amateur radio as a hobby in America. Many pirate station operators were amateur radio enthusiasts who, for one reason or another, decided to go beyond the scope of the hobby (and FCC rules governing it).

Baxter estimates that from 50 to 100 pirate stations are operating in the U.S., varying from studio-quality broadcasts to low-fi sound. According to the FCC, "one of these (pirate stations) pops up somewhere every week or so."[40] The

audience for pirates is more difficult to estimate -- Arbitron does not include them as a market segment. There could be anywhere from ten to 20 to several thousand listening to a single broadcast, depending on power of the transmitter and location (urban vs. rural). Some pirates operate in the standard FM and AM bands, though others use shortwave frequencies. Though broadcasts are usually not regular (to avoid FCC investigation), they usually occur at night or in the very early morning. Broadcasts most often include pop music, comedy, or are seasonal (around Halloween, Christmas, etc.). The transmitters are not hard to come by, available at amateur radio flea markets for as little as $25 to $50. Depending on how much equipment one wants to add, however, the cost can escalate tremendously.

The following report from the New York Times News Service is an account of how many pirates get started:

> At 11 o'clock Sunday night, after WNYE signed off, Frank Stevens signed on. "You're listening to 91.5 FM," he said. "Super Q. Long Island's most powerful pirate." He was broadcasting live, 250 watts strong, from the toolshed behind his parents' house....Around midnight, Ed Michaels and Screaming Scott decided to go into the backyard with a microphone and report the weather....Scott started screaming "Funnel cloud!...." He has his own pirate station, Rox 103, which he broadcasts from his bedroom. "It's very convenient," Scott said. "You get tired, walk over five feet and lie in bed. Many times I've broadcast lying down." Frank's illegal station is well-equipped. He has about $15,000 worth of equipment, although it only cost a fraction of that because he (built it) himself....[41]

Stevens's reasons for starting his pirate station are typical of most pirate broadcasters:

> At 28, Frank is a pirate because he wants to play music he loves and speak his mind....In winter, he does school closings....He says the key to success....he has been at it 10 years without getting caught -- is maximum precaution....he is also careful not to interfere with

> other stations, he says, or mess up reception in his neighborhood, two of the FCC's biggest complaints.[42]

Most U.S. pirate radio stations begin because the operators are dissatisfied with the current state of radio and want to play "their" music. Discourse among and about pirate radio broadcasting inevitably refers to it as an "alternative" to programming provided by licensed broadcasters. The Free Radio Handbook, an underground publication that contains all the necessary technical and legal information to begin operating a pirate station, contains many references to commercial radio as "big-money-controlled media"[43] and to pirate radio as "proving that the efforts of interested individuals are far superior to the products of profiteers and governments."[44] Though it would not appear unusual for a leftist discourse to arise from such terms, there is little if any ideological bent to most U.S. pirate radio stations.

Nonetheless, one would still expect that within a structure of "people playing their music" a diverse range of programming would be common. Not so. The case of Radio New York International (RNI) illustrates this point. Taking its cue from the British off-shore pirates, RNI launched a radio station aboard a ship anchored off Long Island, NY, in summer 1987. After being caught by the FCC, the pirates received nationwide media exposure, primarily because of the flap surrounding the FCC's handling of the case. In short:

> (Allan) Weiner and (DJ Ivan) Rothstein were arraigned...on charges of conspiracy to impede the FCC (a felony) and operating a broadcast station off the shore of the United States (a misdemeanor). Facing maximum prison terms of five years and $250,000 fines, the two were released on their own recognizance after promising to stop the broadcasts.... In September (1987), however, Federal authorities dropped charges against the pair, explaining that they had achieved their goal in proving that they could shut down such stations operating in international waters....But that's not the way Margaret Mayo, Weiner and Rothstein's attorney, sees it.... "I don't think they would have been able to prove their case

> and that they had jurisdiction, so they dropped it. We didn't find any basis in the international treaties or in U.S. Federal Statutes...." says Weiner..."We used the example of other existing off-shore radio stations which are on the air right now, such as Radio Caroline in England...." Weiner...worked at Radio Caroline in 1985.[45]

The programming on RNI consisted primarily of classic rock 'n' roll, and according to Weiner, some people complained that the music mix was not adventuresome enough. Weiner's response was that the station had not been on the air long enough to establish a good music mix. "We were just trying to play some decent rock 'n' roll," Weiner said.[46] Several weeks after their capture Weiner and Rothstein were given guest VJ slots on MTV, where they played videos by relatively mainstream pop and rock artists. Indeed, RNI provided little, if anything, more than a commercial progressive or college rock station.

Weiner interpreted public response as a call for more such programming. "(T)hey want something a little more than just a homogenous hodgepodge of commercial-industrial radio that exists now. I think they want a radio station...that's sincere," Weiner said.[47] And thus the discourse is shifted to a play on authenticity/sincerity and away from the issue of music.[48] The question becomes one of intention and not content, just as in rock 'n' roll what counts isn't how well you play but whether or not you play it with *feeling*.

::: Pirate Radio Programming

Given the non-threatening, almost mainstream nature of much pirate programming, it is not surprising that the FCC seems to act only when complaints of interference arise from a pirate station. It has little to fear from the

content of the broadcasts.

A survey of pirate station loggings from July, 1986, to January, 1988, reveals that the vast majority of pirate radio programming is rock 'n' roll, far from alternative:

TABLE 1

	Region	
Programming	U.S.	Europe
Pop/Rock	72%	74%
Political	5%	4%
Other music	11%	18%
Unknown	12%	5%

*Source: A*C*E Newsletters, July, 1986 through January, 1988.*

It could perhaps be expected that the majority of European pirates would broadcast rock 'n' roll, because they are, for all intents and purposes, commercial radio stations. It is more surprising to see that the majority of U.S. pirates broadcast rock 'n' roll. The logging reports indicate that for the most part the music is not much distinguished from that on commercial radio. For instance, most reports indicate music by groups such as the Who, Nazareth, Huey Lewis and the News, and Black Sabbath. Several reports simply state, "top 40 music." Some report comedy and satire (of the Monty Python variety), interspersed with music, but little of the satire is political in nature.

The few loggings of political stations is a surprise given the volatility of international politics. Perhaps even more surprising is the small number of reports in the "other music" category. Since this category encompasses every

form of music other than pop/rock 'n' roll, and therefore forms of music that are not regularly heard on licensed radio stations, it is odd that there are not more pirates such as Zoom Black Magic to cater to a disenfranchised audience. It is perhaps even stranger that such an audience is not identified by a commercial station as a potential market. Surely alternative radio approaches exist on college and community radio stations that define their audiences very narrowly. Maybe advertisers do not wish to support alternative programming. Or, more likely, maybe advertisers are unwilling to support the kind of *unprofessional* programming found in most pirate broadcasts, and most pirates are unwilling to adhere to FCC rules and, more importantly, to unwritten community standards of good taste. For, overall, though the quality of many broadcasts is very high, there is little to dispel the criticism that U.S. pirate radio is just "kids playing radio."

::: Pirate Television

Amateur radio operators were involved in television broadcasting from the start, and interest in TV broadcasting among pirates is increasing. In Britain, Network 21, a pirate TV station, was reported in Melody Maker magazine to be having a Christmas party in 1986.[49] Business Week reported that one of the former operators of Radio Caroline has installed transmitters in two airplanes that fly off England in international waters broadcasting Caroline TV. The advertising came from companies outside England, and U.S. sales were handled by Edward Petry & Co., Inc., a sales firm for U.S. television stations.[50] The New Yorker carried an article in October, 1951, about a television station with the

call letters WCB&Q that operated in Lewisboro, 60 miles northeast of New York.[51]

In April, 1986, viewers of HBO were greeted with the message, "Good evening HBO from Captain Midnight. $12.95/month? No way! (Showtime/Movie Channel beware!)"[52] The following report is from the A*C*E Auguest, 1986 newsletter:

> On Sunday, March 27, 1986, an unauthorized transmission by a hooded announcer using the name "Captain Midnight" overode Home Box Office's satellite uplink signal, effectively capturing the HBO transponder for almost five minutes. During his broadcast, Captain Midnight voiced his protest against the growing trend towards scrambling many of the premium satellite services.
>
> In the weeks and months that followed, it was clear that the government and commercial services took the satellite piracy threat seriously.
>
> ...on July 22, 1986, an Ocala, Florida man pleaded guilty in the U.S. District Court at Jacksonville to one charge of making the unlicensed HBO broadcast. The Associated Press reported that John R. MacDougall entered into this guilty plea as a result of an agreement with government attorneys and the FCC which will result in the Department of Justice recommending a fine of $5,000 and one year's probation. The maximum penalty for making the unlicensed broadcast could be as much as $10,000 and one year's imprisonment.[53]

Similarly, a figure wearing a Max Headroom mask popped up on two Chicago TV stations in November, 1987. Though such interruptions are becoming more common, they are usually brief and contain little or no program material. There are still few reports of sustained pirate television broadcasts in the U.S., although given the changing regulations for LPTV (low-power television) and decreasing costs of transmitting equipment, the day may not be far off when telepirates make their presence known.

::: Conclusion

Despite the apparent lack of alternative programming, the fact that pirate stations do exist means that there is possibility for alternatives. Simon Frith, writing about new British media policy and its impact on pirate radio, states:

> Alternative pop approaches, in short, will continue to be illegal, and what most strikes me, flicking the dial in search of something different, is how limited the choices are. The great majority of pirate music stations play... "American progressive dance...." the majority use of pop radio is as a means of joining in, not hiding out.[54]

It may also be true that the majority use of pop *music* is as a means of joining in (though not necessarily joining the mainstream) and that radio is not a medium well-suited to hiding out, literally *or* figuratively speaking. It is not difficult, with a little effort, to tune in pirate broadcasts. The FCC is, for the most part, leaving pirate radio operators alone -- perhaps because the expense of tracking them down would be too great (reports of interference save the agency much time and money they would otherwise spend on field work). Though the programming may not be particularly adventuresome, with its comedy spots, phony advertisements and non-professional character it is nonethless a change from commercial radio -- but not different enough to cause a trouble for the economic and political structure of broadcasting.

::: Notes

1) Time, January 22, 1951, pp. 55, 56.

2) Living Age, January 17, 1925, p. 175.

3) A*C*E Newsletter, November, 1986, p. 28.

4) Ibid., p. 43.

5) Ibid., p. 43.

6) Harry Helms, How to Tune the Secret Shortwave Spectrum (Blue Ridge Summit, PA: TAB Books, 1981), p. 29.

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8) Miles Copeland, Without Cloak and Dagger, (New York: Simon & Schuster, 1974).

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10) Radio Broadcast, December, 1922, p. 94.

11) Radio Broadcast, August, 1924, p. 286.

12) Collier's, August 22, 1931, p. 10.

13) Literary Digest, July 7, 1926.

14) Mike Barron, Independent Radio (Lavenham, England: The Lavenham Press Ltd., 1975), p. 35.

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17) John Hinds & Stephen Mosco, Rebel Radio (London: Pluto Press, 1985).

18) Business Week, May 2, 1964, p. 50.

19) Paul Harris, When Pirates Ruled the Waves (Aberdeen, Scotland: Impulse Publications Ltd., 1968).

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21) Paul Harris, When Pirates Ruled the Waves (Aberdeen, Scotland: Impulse Publications Ltd., 1968), p. 2.

22) Ibid., pp. 10 -12.

23) Mike Barron, Independent Radio (Lavenham, England: The Lavenham Press Ltd., 1975), p. 33.

24) Time, January 15, 1973, p. 34.

25) Paul Harris, When Pirates Ruled the Waves (Aberdeen, Scotland: Impulse Publications Ltd., 1968).

26) Time, September 15, 1967, p. 70.

27) Marine Broadcasting Offences Act, published in Wireless World, October 1967, p. 14.

28) Time, May 31, 1971, p. 41.

29) Forbes, April 22, 1985, p. 88.

30) Dick Hebdige, Cut 'n' Mix (London: Methuen, 1987), pp. 154 - 156.

31) A*C*E Newsletter, January, 1987, p. 18.

32) Ibid., p. 18

33) Ibid., p. 18

34) Ibid., p. 19

35) Ibid., p.20

36) Ibid., p.20

37) Fresno Bee, January 21, 1987.

38) Fresno Bee, January 21, 1987 & January 25, 1987.

39) Phone interview with Kirk Baxter, October 16, 1986.

40) Lawrence C. Soley & John S. Nichols, Clandestine Radio Broadcasting (New York: Praeger Publishers, 1987), p. 5.

41) Michael Winerip/New York Times News Service "Friendly radio pirate runs station from shed" Eau Claire Leader-Telegram, October 4, 1987, p. 4F.

42) Ibid. The article's author added, "Frank's father says that if agents from the FCC ever show up, he won't say a word, he will just point to the toolshed....(the pirates) like girls, but they love a pirate's life. They know once you're married, you can't spend every night in the toolshed."

43) Rick Freeman, Free Radio Handbook (No location given: Brick-Through-Your-Window Publications, 1984), p. 3.

44) Ibid., p. 5.

45) Richie Unterberger, "Radio Activity," OPtion, November/December, 1987, p. 135.

46) Ibid.

47) Ibid.

48) For a discussion of authenticity and rock 'n' roll see Simon Frith, Sound Effects (New York: Pantheon Books, 1981) or Steve Jones, Rock Formation (Urbana, IL: Ph.D. Dissertation, 1987).

49) Melody Maker, December 13, 1986, p. 4.

50) Business Week, May 9, 1970, p. 37.

51) New Yorker, October 13, 1951, p. 93.

52) Time, August 4, 1986, p. 47.

53) A*C*E Newsletter, August, 1986, p. 15. Some of the comments on the A*C*E computer Bulletin Board Service between September, 1986 and March, 1987 regarding this incident were interesting:

> User 1:
> "In my humble opinion, Captain Midnight should receive SEVERAL medals...One from HBO, one from the government, and one from the ARRL. He pointed out an injustice, as was his purpose, but he also showed the vulnerability of our domestic satellite system to outside takeover. A bonafide folk hero."
>
> User 2:
> "I would also wager that the military was VERY keen on finding the guy and it will be interesting to see how his sentence turns out. While I'm sure our military satcom systems have whatever backups and safeguards that are possible, I wonder about "the other guy" and I'm sure there are some people freaking out over the possibility of W.W. III being triggered by milsat (interference)."
>
> User 3:
> "I'm probably underestimating Uncle Sam, but I'd be willing to bet that the military is interested in nailing Captain Midnight for the opposite reason; ie, they think the technology is too complex for civilians to master, so for that reason they used NO safeguards."

54) Simon Frith, "Stand and Deliver," Village Voice, March 15, 1988, p. 73.